

1 LANE POWELL PC

2 Callie A. Castillo, WSBA No. 38214

3 Devon J. McCurdy, WSBA No. 52663

4 Angela Foster, WSBA No. 52269

5 Daniel Miller, WSBA No. 56810

6 1420 Fifth Avenue, Suite 4200

7 P.O. Box 91302

8 Seattle, Washington 98111-9402

9 Telephone: 206.223.7000

10 Facsimile: 206.223.7107

11 castilloc@lanepowell.com

12 mccurdyd@lanepowell.com

13 fostera@lanepowell.com

14 millerd@lanepowell.com (*admission to Eastern District of Washington  
forthcoming*)

15 *Counsel for the Homeowners, Builders, and Suppliers*

16 BAKER BOTTS L.L.P.

17 Megan H. Berge (DC Bar No. 983714) (*pro hac vice*)

18 Thomas Jackson (DC Bar No. 384708) (*pro hac vice*)

19 Scott Novak (DC Bar No. 1736274) (*pro hac vice application forthcoming*)

20 700 K Street NW

21 Washington, D.C. 20001

22 202-639-1308

23 megan.berge@bakerbotts.com

24 thomas.jackson@bakerbotts.com

25 scott.novak@bakerbotts.com

26 Francesca Eick (WA Bar No. 52432)

27 401 S 1st, Suite 1300

Austin, TX 78704

512-322-2672

francesca.eick@bakerbotts.com

*Counsel for the Utilities*

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

JAMON RIVERA, an individual;  
INLAND NW AGC, a membership  
organization; SPOKANE HOME  
BUILDER'S ASSOCIATION, a  
nonprofit corporation;

No. 1:23-cv-03070-SAB

**DECLARATION OF JOEL WHITE**

Declaration of Joel White - 1  
CASE NO. 1:23-cv-03070-SAB

LANE POWELL PC  
1420 FIFTH AVENUE, SUITE 4200  
P.O. BOX 91302  
SEATTLE, WASHINGTON 98111-9402  
206.223.7000 FAX: 206.223.7107

1 WASHINGTON STATE  
2 ASSOCIATION OF UA PLUMBERS,  
3 PIPEFITTERS AND HVAC/R  
4 SERVICE TECHNICIANS, a labor  
5 organization; CONDRON HOMES  
6 LLC, a limited liability company;  
7 PARAS HOMES LLC, a limited  
8 liability company; GARCO  
9 CONSTRUCTION INC., a for-profit  
10 corporation, NATIONAL PROPANE  
11 GAS ASSOCIATION, a national trade  
12 association, CITIZEN ACTION  
13 DEFENSE FUND, a nonprofit  
14 corporation; AVISTA  
15 CORPORATION; CASCADE  
16 NATURAL GAS CORPORATION;  
17 AND NORTHWEST NATURAL  
18 GAS COMPANY,

19 Plaintiffs,

20 v.

21 WASHINGTON STATE BUILDING  
22 CODE COUNCIL,

23 Defendant.

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26  
27  
**DECLARATION OF JOEL WHITE**

I, Joel White, declare as follows:

1. I am the Executive Officer of the Spokane Home Builders Association ("SHBA"), located in Spokane Valley, Washington. I have personal knowledge of the facts set forth herein.

2. SHBA has been supporting the housing industry since 1947. SHBA advocates diligently for pro-housing legislation and regulations in Washington state.

3. SHBA represents over 750 member companies in seven counties in Washington, including Spokane, Whitman, Pend Oreille, Stevens, Ferry, Lincoln, and Grant, and our members employ over 10,000 individuals in the construction industry in Washington.

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1           4.     The energy code provisions negatively impact our members in  
2 numerous ways.

3           5.     The energy code provisions increase the cost of building homes and  
4 commercial buildings without an equivalent increase in value, reducing our  
5 members' margins or reducing buyers' returns on investment.

6           6.     If our members pass on the cost of these code changes to the consumer,  
7 there will be fewer consumers who can purchase new construction homes from our  
8 members. Based on economic research from the National Association of Home  
9 Builders showing the impact of price increases on potential home buyers, for every  
10 \$1,000 increase in the cost of a home, 92 families in our market are priced out of the  
11 ability to purchase a new home. This is in addition to data showing that nearly 90%  
12 of our existing population already cannot afford a home at the median new home  
13 price.

14           7.     All new home buyers will be impacted by these price increases but  
15 these costs will have an even greater impact on lower income home buyers who are  
16 struggling to qualify for financing. The upfront costs of a home are the greatest  
17 barrier to homeownership.

18           8.     Furthermore, this change will negatively impact consumers who live in  
19 our region, where the temperature fluctuates immensely between seasons. By  
20 requiring electric heat pumps as a primary system in every home, the code  
21 effectively prohibits natural gas heating systems, unless they are a secondary system,  
22 and it is cost prohibitive for most homeowners to install both an electric heat pump  
23 and a natural gas furnace for reliable heat. The temperatures in our region can  
24 fluctuate over 100 degrees and homeowners require reliable heating and cooling  
25 systems to protect their lives. Without a backup heat source during electric outages,  
26 we have seen numerous stories where lives were lost. Many citizens throughout our  
27 territory are low-income and will not be able to afford a secondary heat source. The

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1 change in the energy code may drive consumers to purchase existing homes over the  
2 new construction homes produced by our members. Ultimately, the energy code  
3 provisions harm both homebuilders and consumers.

4 9. In short, the code changes decrease our members' profits—either by  
5 causing them to absorb the additional cost of implementing two different heating  
6 systems or by decreasing marketability of their product.

7 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the  
8 foregoing is true and correct.

9 Executed on this 1<sup>st</sup> day of June 2023, at Spokane Valley, Washington.

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13 Joel White  
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Declaration of Joel White - 4  
CASE NO. 1:23-cv-03070-SAB

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